

Calendar No. 407

117TH CONGRESS
2D SESSION

S. 4171

To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2022

Mr. MENENDEZ (for himself, Mr. RISCH, Mr. Kaine, Mr. RUBIO, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE 14, 2022

Reported by Mr. MENENDEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Traf-
5 ficking Victims Protection Reauthorization Act of 2022.”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

See. 1. Short title.

See. 2. Table of contents.

TITLE I—COMBATING HUMAN TRAFFICKING ABROAD

See. 101. United States support for integration of anti-trafficking in persons interventions in multilateral development banks.

See. 102. Expanding prevention efforts at the United States Agency for International Development.

See. 103. Counter-trafficking in persons efforts in development cooperation and assistance policy.

See. 104. Technical amendments to tier rankings.

See. 105. Modifications to the program to end modern slavery.

See. 106. Clarification of nonhumanitarian, nontrade-related foreign assistance.

See. 107. Expanding protections for domestic workers of official and diplomatic visa holders.

See. 108. Effective dates.

TITLE II—AUTHORIZATION OF APPROPRIATIONS

See. 201. Extension of authorizations under the Victims of Trafficking and Violence Protection Act of 2000.

See. 202. Extension of authorizations under the International Megan's Law.

TITLE III—BRIEFINGS

Sec. 301. Briefing on annual trafficking in person's report.

See. 302. Briefing on use and justification of waivers.

3 **TITLE I—COMBATING HUMAN**
 4 **TRAFFICKING ABROAD**

5 **SEC. 101. UNITED STATES SUPPORT FOR INTEGRATION OF**
 6 **ANTI-TRAFFICKING IN PERSONS INTERVEN-**
 7 **TIONS IN MULTILATERAL DEVELOPMENT**
 8 **BANKS.**

9 (a) **REQUIREMENTS.**—The Secretary of the Treasury,
 10 in consultation with the Secretary of State acting through
 11 the Ambassador-at-Large to Monitor and Combat Traf-
 12 ficking in Persons, shall instruct the United States Execu-
 13 tive Director of each multilateral development bank (as

1 defined in section 110(d) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d))) to encourage
2 the inclusion of a counter-trafficking strategy, including
3 risk assessment and mitigation efforts as needed, in proposed projects in countries listed—

6 (1) on the Tier 2 Watch List (required under
7 section 110(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)), as
8 amended by section 104(a));

10 (2) under subparagraph (C) of section
11 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) (commonly referred
12 to as “tier 3”); and

14 (3) as Special Cases in the most recent report
15 on trafficking in persons required under such section
16 (commonly referred to as the “Trafficking in Persons Report”).

18 (b) BRIEFINGS.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of State, shall
21 brief the appropriate congressional committees regarding
22 the implementation of this section.

23 (c) GAO REPORT.—Not later than 2 years after the
24 date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate con-

1 gressional committees a report that details the activities
2 of the United States relating to combating human traf-
3 ficking, including forced labor, within multilateral develop-
4 ment projects.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

8 (1) the Committee on Foreign Relations and
9 the Committee on Appropriations of the Senate; and
10 (2) the Committee on Foreign Affairs and the
11 Committee on Appropriations of the House of Rep-
12 resentatives.

13 **SEC. 102. EXPANDING PREVENTION EFFORTS AT THE**
14 **UNITED STATES AGENCY FOR INTER-**
15 **NATIONAL DEVELOPMENT.**

16 (a) IN GENERAL.—In order to strengthen prevention
17 efforts by the United States abroad, the Administrator of
18 the United States Agency for International Development
19 (referred to in this section as the “Administrator”) shall,
20 to the extent practicable and appropriate—

21 (1) encourage the integration of activities to
22 counter trafficking in persons (referred to in this
23 section as “C-TIP”) into broader assistance pro-
24 gramming;

1 (2) determine a reasonable definition for the
2 term “C-TIP Integrated Development Programs,”
3 which shall include any programming to address
4 health, food security, economic development, edu-
5 cation, democracy and governance, and humani-
6 tarian assistance that includes a sufficient C-TIP
7 element; and

8 (3) ensure that each mission of the United
9 States Agency for International Development (re-
10 ferred to in this section as “USAID”)—

11 (A) integrates a C-TIP component into de-
12 velopment programs, project design, and meth-
13 ods for program monitoring and evaluation, as
14 necessary and appropriate, when addressing
15 issues, including—

16 (i) health;
17 (ii) food security;
18 (iii) economic development;
19 (iv) education;
20 (v) democracy and governance; and
21 (vi) humanitarian assistance;

22 (B) continuously adapts, strengthens, and
23 implements training and tools related to the in-
24 tegration of a C-TIP perspective into the work
25 of development actors; and

6 (b) REPORTS AND BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of an Act making appropriations for the Department of State, Foreign Operations, and Related Programs through fiscal year 2026, the Secretary of State, in consultation with the Administrator, shall submit to the appropriate congressional committees a report on obligations and expenditures of all funds managed by the Department of State and USAID in the prior fiscal year to combat human trafficking and forced labor, including integrated C-TIP activities.

18 (2) CONTENTS.—The report required by para-
19 graph (1) shall include—

(A) a description of funding aggregated by program, project, and activity; and

(B) a description of the management structure at the Department of State and USAID used to manage such programs.

1 (3) BIENNIAL BRIEFING.—Not later than 6
 2 months of after the date of the enactment of this
 3 Act, and every 2 years thereafter through fiscal year
 4 2026, the Secretary of State, in consultation with
 5 the Administrator, shall brief the Committee on For-
 6 eign Relations of the Senate and the Committee on
 7 Foreign Affairs of the House of Representatives on
 8 the implementation of subsection (a).

9 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
 10 FINED.—In this section, the term “appropriate congressional
 11 committees” means—

12 (1) the Committee on Foreign Relations and
 13 the Committee on Appropriations of the Senate; and
 14 (2) the Committee on Foreign Affairs and the
 15 Committee on Appropriations of the House of Rep-
 16 resentatives.

17 **SEC. 103. COUNTER TRAFFICKING IN PERSONS EFFORTS IN**
 18 **DEVELOPMENT COOPERATION AND ASSIST-**
 19 **ANCE POLICY.**

20 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
 21 et seq.) is amended—

22 (1) in section 102(b)(4)(22 U.S.C. 2151-
 23 1(b)(4))—

24 (A) in subparagraph (F), by striking
 25 “and” at the end;

1 (B) in subparagraph (G), by striking the
2 period at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(H) effective counter-trafficking in per-
5 sons policies and programs.”; and

6 (2) in section 492(d)(1)(22) U.S.C.

7 2292a(d)(1))—

8 (A) by striking “that the funds” and in-
9 serting the following: “that—

10 “(A) the funds”;

11 (B) in subparagraph (A), as added by sub-
12 paragraph (A) of this paragraph, by striking
13 the period at the end and inserting “; and”,
14 and

15 (C) by adding at the end the following:

16 “(B) in carrying out the provisions of this
17 chapter, the President shall, to the greatest ex-
18 tent possible—

19 “(i) ensure that assistance made
20 available under this section does not create
21 or contribute to conditions that can be rea-
22 sonably expected to result in an increase in
23 trafficking in persons who are in condi-
24 tions of heightened vulnerability as a result
25 of natural and manmade disasters; and

1 “(ii) integrate appropriate protections
2 into the planning and execution of activi-
3 ties authorized under this chapter.”.

4 **SEC. 104. TECHNICAL AMENDMENTS TO TIER RANKINGS.**

5 (a) MODIFICATIONS TO TIER 2 WATCH LIST.—See-
6 tion 110(b)(2) of the Trafficking Victims Protection Act
7 of 2000 (22 U.S.C. 7107(b)(2)), is amended—

8 (1) in the paragraph heading, by striking “SPE-
9 CIAL” and inserting “TIER 2”, and

10 (2) in subparagraph (A)—

11 (A) by striking “of the following countries”
12 and all that follows through “annual report,
13 where—” and inserting “of countries that have
14 been listed pursuant to paragraph (1)(B) pur-
15 suant to the current annual report, in which—
16 ”, and

17 (B) by redesignating subclauses (I) and
18 (II) as clauses (i) and (ii), respectively, and
19 moving such clauses (as so redesignated) 2 ems
20 to the left.

21 (b) MODIFICATION TO SPECIAL RULE FOR DOWN-
22 GRADED AND REINSTATED COUNTRIES.—Section
23 110(b)(2)(F) of such Act (22 U.S.C. 7107(b)(2)(F)) is
24 amended—

- 1 (1) in the matter preceding clause (i), by striking
 2 “special watch list described in subparagraph
 3 (A)(iii) for more than 1 consecutive year after the
 4 country” and inserting “Tier 2 watch list described
 5 in subparagraph (A) for more than one year imme-
 6 diately after the country consecutively”;
- 7 (2) in clause (i), in the matter preceding sub-
 8 clause (I), by striking “special watch list described
 9 in subparagraph (A)(iii)” and inserting “Tier 2
 10 watch list described in subparagraph (A)”, and
- 11 (3) in clause (ii), by inserting “in the year fol-
 12 lowing such waiver under subparagraph (D)(ii)”
 13 after “paragraph (1)(C)”.

14 (e) CONFORMING AMENDMENTS.—

15 (1) TRAFFICKING VICTIMS PROTECTION ACT OF
 16 2000.—Section 110(b) of the Trafficking Victims
 17 Protection Act of 2000 (22 U.S.C. 7107(b)), as
 18 amended by subsections (a) and (b), is further
 19 amended—

20 (A) in paragraph (2)—

21 (i) in subparagraph (B), by striking
 22 “special watch list” and inserting “Tier 2
 23 watch list”;

24 (ii) in subparagraph (C)—

1 (I) in the subparagraph heading,
2 by striking “SPECIAL WATCH LIST”
3 and inserting “TIER 2 WATCH LIST”,
4 and
5 (II) by striking “special watch
6 list” and inserting “Tier 2 watch
7 list”, and
8 (iii) in subparagraph (D)—
9 (I) in the subparagraph heading,
10 by striking “SPECIAL WATCH LIST”
11 and inserting “TIER 2 WATCH LIST”,
12 and
13 (II) in clause (i), by striking
14 “special watch list” and inserting
15 “Tier 2 watch list”,
16 (B) in paragraph (3)(B), in the matter
17 preceding clause (i), by striking “clauses (i),
18 (ii), and (iii) of”; and
19 (C) in paragraph (4)—
20 (i) in subparagraph (A), in the matter
21 preceding clause (i), by striking “each
22 country described in paragraph (2)(A)(ii)”
23 and inserting “each country described in
24 paragraph (2)(A)”, and

(ii) in subparagraph (D)(ii), by striking “the Special Watch List” and inserting “the Tier 2 watch list”.

20 SEC. 105. MODIFICATIONS TO THE PROGRAM TO END MOD-
21 ERN SLAVERY.

22 (a) IN GENERAL.—Section 1298 of the National De-
23 fense Authorization Act for Fiscal Year 2017 (22 U.S.C.
24 7114) is amended—

1 (1) in subsection (a)(1), by striking “Not later
2 than 90 days after the date of the enactment of this
3 Act” and inserting “Not later than 90 days after the
4 date of the enactment of the International Traf-
5 ficking Victims Protection Reauthorization Act of
6 2022”;

7 (2) in subsection (g)—

8 (A) by striking “APPROPRIATIONS” in the
9 heading and all that follows through “There is
10 authorized” and inserting “APPROPRIATIONS
11 —There is authorized”; and

12 (B) by striking paragraph (2); and

13 (3) in subsection (h)(1), by striking “Not later
14 than September 30, 2018, and September 30, 2020”
15 and inserting “Not later than September 30, 2022,
16 and September 30, 2026”.

17 (b) ELIGIBILITY.—To be eligible for funding under
18 the Program to End Modern Slavery of the Office to Mon-
19 itor and Combat Trafficking in Persons, a grant recipient
20 shall—

21 (1) publish the names of all subgrantee organi-
22 zations on a publicly available website; or

23 (2) if the subgrantee organization expresses a
24 security concern, the grant recipient shall relay such
25 concerns to the Secretary of State, who shall trans-

1 mit annually the names of all subgrantee organiza-
2 tions in a classified annex to the chairs of the appro-
3 priate congressional committees (as defined in sec-
4 tion 1298(i) of the National Defense Authorization
5 Act of 2017 (~~22 U.S.C. 7114(i)~~)).

(e) AWARD OF FUNDS.—All grants issued under the program referred to in subsection (b) shall be—
(1) awarded on a competitive basis; and
(2) subject to the regular congressional notification procedures applicable with respect to grants made available under section 1298(b) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(b)).

**14 SEC. 106. CLARIFICATION OF NONHUMANITARIAN,
15 NONTRADE RELATED FOREIGN ASSISTANCE.**

16 (a) CLARIFICATION OF SCOPE OF WITHHELD AS-
17 SISTANCE.—Section 110(d)(1) of the Trafficking Victims
18 Protection Act of 2000 (22 U.S.C. 7107(d)(1)) is amend-
19 ed to read as follows:

20 “(1) WITHHOLDING OF ASSISTANCE.—The
21 President has determined that—

22 “(A) the United States will not provide
23 nonhumanitarian, nontrade-related foreign as-
24 sistance to the central government of the coun-
25 try or funding to facilitate the participation by

1 officials or employees of such central govern-
2 ment in educational and cultural exchange pro-
3 grams, for the subsequent fiscal year until such
4 government complies with the minimum stand-
5 ards or makes significant efforts to bring itself
6 into compliance; and

7 “(B) the President will instruct the United
8 States Executive Director of each multilateral
9 development bank and of the International
10 Monetary Fund to vote against, and to use the
11 Executive Director’s best efforts to deny, any
12 loan or other utilization of the funds of the re-
13 spective institution to that country (other than
14 for humanitarian assistance, for trade-related
15 assistance, or for development assistance that
16 directly addresses basic human needs, is not ad-
17 ministered by the central government of the
18 sanctioned country, and is not provided for the
19 benefit of that government) for the subsequent
20 fiscal year until such government complies with
21 the minimum standards or makes significant ef-
22 forts to bring itself into compliance.”.

23 (b) DEFINITION OF NON-HUMANITARIAN,
24 NONTRADE RELATED ASSISTANCE.—Section 103(10) of

1 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
2 7102(10)) is amended to read as follows:

3 “(10) NONHUMANITARIAN, NONTRADE RE-
4 LATED FOREIGN ASSISTANCE.—

5 “(A) IN GENERAL.—The term ‘non-

6 humanitarian, nontrade-related foreign assist-

7 ancee’ means—

8 “(i) United States foreign assistance,
9 other than—

10 “(I) with respect to the Foreign
11 Assistance Act of 1961—

12 “(aa) assistance for inter-
13 national narcotics and law en-
14 forcement under chapter 8 of
15 part I of such Act (22 U.S.C.
16 2291 et seq.);

17 “(bb) assistance for Inter-
18 national Disaster Assistance
19 under subsections (b) and (e) of
20 section 491 of such Act (22
21 U.S.C. 2292);

22 “(ee) antiterrorism assist-
23 ance under chapter 8 of part H
24 of such Act (22 U.S.C. 2349aa et
25 seq.); and

1 “(dd) health programs
2 under chapters 1 and 10 of part
3 I and chapter 4 of part II of
4 such Act (22 U.S.C. 2151 et
5 seq.);

6 “(II) assistance under the Food
7 for Peace Act (7 U.S.C. 1691 et seq.);

8 “(III) assistance under sections
9 2(a), (b), and (e) of the Migration and
10 Refugee Assistance Act of 1962 (22
11 U.S.C. 2601(a), (b), (c)) to meet ref-
12 ugee and migration needs; and

13 “(IV) any form of United States
14 foreign assistance provided through
15 nongovernmental organizations, inter-
16 national organizations, or private sec-
17 tor partners—

18 “(aa) to combat human and
19 wildlife trafficking;

20 “(bb) to promote food secu-
21 rity;

22 “(cc) to respond to emer-
23 gencies;

24 “(dd) to provide humani-
25 tarian assistance;

1 “(ee) to address basic
2 human needs, including for edu-
3 cation;

4 “(ff) to advance global
5 health security; or

6 “(gg) to promote trade;

7 “(ii) sales, or financing any terms,
8 under the Arms Export Control Act (22
9 U.S.C. 2751 et seq.), other than sales or
10 financing provided for narcotics-related
11 purposes following notification in accord-
12 ance with the prior notification procedures
13 applicable to reprogramming pursuant to
14 section 634A of the Foreign Assistance Act
15 of 1961 (22 U.S.C. 2394–1); or

16 “(iii) any other form of United States
17 foreign assistance that the President deter-
18 mines, by not later than October 1 of each
19 fiscal year, is necessary to advance the se-
20 curity, economic, humanitarian, or global
21 health interests of the United States with-
22 out compromising the steadfast U.S. com-
23 mitment to combatting human trafficking
24 globally.

1 “(B) EXCLUSIONS.—The term ‘non-
2 humanitarian, nontrade-related foreign assist-
3 anee’ shall not include payments to or the par-
4 ticipation of government entities necessary or
5 incidental to the implementation of a program
6 that is otherwise consistent with section 110.”.

7 **SEC. 107. EXPANDING PROTECTIONS FOR DOMESTIC WORK-**
8 **ERS OF OFFICIAL AND DIPLOMATIC VISA**
9 **HOLDERS.**

10 Section 203(b) of the William Wilberforce Trafficking
11 Victims Protection Reauthorization Act of 2008 (8 U.S.C.
12 §1375c(b)) is amended by inserting after paragraph (4) the
13 following:

14 “(5) NATIONAL EXPANSION OF IN-PERSON REG-
15 ISTRATION PROGRAM.—The Secretary shall admin-
16 ister the Domestic Worker In-Person Registration
17 Program for employees with A-3 visas or G-5 visas
18 employed by accredited foreign mission members or
19 international organization employees and shall ex-
20 pand this program nationally, which shall include—

21 “(A) after the arrival of each such em-
22 ployee in the United States, and annually dur-
23 ing the course of such employee’s employment,
24 a description of the rights of such employee
25 under applicable Federal and State law; and

1 “(B) provision of a copy of the pamphlet
2 developed pursuant to section 202 to the em-
3 ployee with an A-3 visa or a G-5 visa; and

4 “(C) information on how to contact the
5 National Human Trafficking Hotline.

6 “(6) MONITORING AND TRAINING OF A-3 AND
7 G-5 VISA EMPLOYERS ACCREDITED TO FOREIGN MIS-
8 SIONS AND INTERNATIONAL ORGANIZATIONS.—The
9 Secretary shall—

10 “(A) inform embassies, international orga-
11 nizations, and foreign missions of the rights of
12 A-3 and G-5 domestic workers under the appli-
13 cable labor laws of the United States, including
14 the fair labor standards described in the pam-
15 phlet developed pursuant to section 202. Infor-
16 mation provided to foreign missions, embassies,
17 and international organizations should include
18 material on labor standards and labor rights of
19 domestic worker employees who hold A-3 and
20 G-5 visas;

21 “(B) inform embassies, international orga-
22 nizations, and foreign missions of the potential
23 consequences to individuals holding a non-
24 immigrant visa issued pursuant to subpara-
25 graph (A)(i), (A)(ii), (G)(i), (G)(ii), or (G)(iii)

1 of section 101(a)(15) of the Immigration and
2 Nationality Act (8 U.S.C. 1101(a)(15)) who
3 violate the laws described in subclause (I)(aa),
4 including (at the discretion of the Secretary)—
5 “(i) the suspension of A-3 visas and
6 G-5 visas;
7 “(ii) request for waiver of immunity;
8 “(iii) criminal prosecution;
9 “(iv) civil damages; and
10 “(v) permanent revocation of or re-
11 fusal to renew the visa of the accredited
12 foreign mission or international organiza-
13 tion employee; and
14 “(C) require all accredited foreign mission
15 and international organization employers of in-
16 dividuals holding A-3 visas or G-5 visas to re-
17 port the wages paid to such employees on an
18 annual basis.”.

19 **SEC. 108. EFFECTIVE DATES.**

20 Sections 104(b) and 106 and the amendments made
21 by those sections take effect on the date that is the first
22 day of the first full reporting period for the report re-
23 quired by section 110(b)(1) of the Trafficking Victims
24 Protection Act of 2000 (22 U.S.C. 7107(b)(1)) after the
25 date of the enactment of this Act.

1 **TITLE II—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 201. EXTENSION OF AUTHORIZATIONS UNDER THE**
4 **VICTIMS OF TRAFFICKING AND VIOLENCE**
5 **PROTECTION ACT OF 2000.**

6 Section 413 of the Victims of Trafficking and Vi-
7 lence Protection Act of 2000 (22 U.S.C. 7110) is amend-
8 ed—

9 (1) in subsection (a), by striking “2018 through
10 2021, \$13,822,000” and inserting “2023 through
11 2026, \$17,000,000”; and

12 (2) in subsection (e)(1)—

13 (A) in the matter preceding subparagraph
14 (A), by striking “2018 through 2021,
15 \$65,000,000” and inserting “2023 through
16 2026, \$102,500,000, of which \$22,000,000
17 shall be made available each fiscal year to the
18 United States Agency for International Devel-
19 opment and the remainder of”;

20 (B) in subparagraph (C), by striking “;
21 and” at the end and inserting a semicolon;

22 (C) in subparagraph (D), by striking the
23 period at the end and inserting “; and”; and

24 (D) by adding at the end the following:

1 “(E) to fund programs to end modern slav-
2 ery, in an amount not to exceed \$37,500,000
3 for each of the fiscal years 2023 through
4 2026.”.

5 **SEC. 202. EXTENSION OF AUTHORIZATIONS UNDER THE**
6 **INTERNATIONAL MEGAN'S LAW.**

7 Section 11 of the International Megan's Law to Pre-
8 vent Child Exploitation and Other Sexual Crimes Through
9 Advanced Notification of Traveling Sex Offenders (34
10 U.S.C. 21509) is amended by striking “2018 through
11 2021” and inserting “2023 through 2026”.

12 **TITLE III—BRIEFINGS**

13 **SEC. 301. BRIEFING ON ANNUAL TRAFFICKING IN PERSONS**
14 **REPORT.**

15 Not later than 30 days after the public designation
16 of country tier rankings and subsequent publishing of the
17 Trafficking in Persons Report, the Secretary of State shall
18 brief the Committee on Foreign Relations of the Senate
19 and the Committee on Foreign Affairs of the House of
20 Representatives on—

21 (1) countries that were downgraded or up-
22 graded in the most recent Trafficking in Persons
23 Report; and

24 (2) the efforts made by the United States to
25 improve counter-trafficking efforts in those coun-

1 tries, including foreign government efforts to better
 2 meet minimum standards to eliminate human traf-
 3 ficking.

4 **SEC. 302. BRIEFING ON USE AND JUSTIFICATION OF WAIV-
 5 ERS.**

6 Not later than 30 days after the President has deter-
 7 mined to issue a waiver under section 110(d)(5) of the
 8 Trafficking Victims Protection Act of 2000 (22 U.S.C.
 9 7107(d)(5)), the Secretary of State shall brief the Com-
 10 mittee on Foreign Relations of the Senate and the Com-
 11 mittee on Foreign Affairs of the House of Representatives
 12 on—

13 (a) each country that received a waiver;
 14 (b) the justification for each such waiver; and
 15 (c) a description of the efforts made by each country
 16 to meet the minimum standards to eliminate human traf-
 17 ficking.

18 **SECTION 1. SHORT TITLE.**

19 This Act may be cited as the “International Traf-
 20 ficking Victims Protection Reauthorization Act of 2022.”.

21 **SEC. 2. TABLE OF CONTENTS.**

22 The table of contents for this Act is as follows:

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- Sec. 108. *Effective dates.*

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- Sec. 302. *Briefing on use and justification of waivers.*

1 TITLE I—COMBATING HUMAN 2 TRAFFICKING ABROAD

3 SEC. 101. UNITED STATES SUPPORT FOR INTEGRATION OF 4 ANTI-TRAFFICKING IN PERSONS INTERVEN- 5 TIONS IN MULTILATERAL DEVELOPMENT 6 BANKS.

7 (a) *REQUIREMENTS.—The Secretary of the Treasury,*
 8 *in consultation with the Secretary of State acting through*
 9 *the Ambassador-at-Large to Monitor and Combat Traf-*
 10 *ficking in Persons, shall instruct the United States Execu-*
 11 *tive Director of each multilateral development bank (as de-*
 12 *fined in section 110(d) of the Trafficking Victims Protection*
 13 *Act of 2000 (22 U.S.C. 7107(d))) to encourage the inclusion*
 14 *of a counter-trafficking strategy, including risk assessment*
 15 *and mitigation efforts as needed, in proposed projects in*
 16 *countries listed—*

1 (1) on the Tier 2 Watch List (required under sec-
2 tion 110(b)(2)(A) of the Trafficking Victims Protec-
3 tion Act of 2000 (22 U.S.C. 7107(b)(2)(A)), as
4 amended by section 104(a));

5 (2) under subparagraph (C) of section 110(b)(1)
6 of the Trafficking Victims Protection Act of 2000 (22
7 U.S.C. 7107(b)(1)) (commonly referred to as “tier
8 3”); and

9 (3) as Special Cases in the most recent report on
10 trafficking in persons required under such section
11 (commonly referred to as the “Trafficking in Persons
12 Report”).

13 (b) BRIEFINGS.—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of the Treas-
15 ury, in consultation with the Secretary of State, shall brief
16 the appropriate congressional committees regarding the im-
17 plementation of this section.

18 (c) GAO REPORT.—Not later than 2 years after the
19 date of the enactment of this Act, the Comptroller General
20 of the United States shall submit to the appropriate con-
21 gressional committees a report that details the activities of
22 the United States relating to combating human trafficking,
23 including forced labor, within multilateral development
24 projects.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Relations and the
5 Committee on Appropriations of the Senate; and
6 (2) the Committee on Foreign Affairs and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 **SEC. 102. EXPANDING PREVENTION EFFORTS AT THE**
10 **UNITED STATES AGENCY FOR INTER-**
11 **NATIONAL DEVELOPMENT.**

12 (a) IN GENERAL.—In order to strengthen prevention
13 efforts by the United States abroad, the Administrator of
14 the United States Agency for International Development
15 (referred to in this section as the “Administrator”) shall,
16 to the extent practicable and appropriate—

17 (1) encourage the integration of activities to
18 counter trafficking in persons (referred to in this sec-
19 tion as “C-TIP”) into broader assistance program-
20 ming;

21 (2) determine a reasonable definition for the
22 term “C-TIP Integrated Development Programs,”
23 which shall include any programming to address
24 health, food security, economic development, edu-
25 cation, democracy and governance, and humanitarian

1 assistance that includes a sufficient C-TIP element;
2 and

3 (3) ensure that each mission of the United States
4 Agency for International Development (referred to in
5 this section as “USAID”—

6 (A) integrates a C-TIP component into de-
7 velopment programs, project design, and methods
8 for program monitoring and evaluation, as nec-
9 essary and appropriate, when addressing issues,
10 including—

11 (i) health;
12 (ii) food security;
13 (iii) economic development;
14 (iv) education;
15 (v) democracy and governance; and
16 (vi) humanitarian assistance;

17 (B) continuously adapts, strengthens, and
18 implements training and tools related to the in-
19 tegration of a C-TIP perspective into the work of
20 development actors; and

21 (C) encourages USAID Country Develop-
22 ment Cooperation Strategies to include C-TIP
23 components in project design, implementation,
24 monitoring, and evaluation, as necessary and
25 appropriate.

1 (b) REPORTS AND BRIEFINGS REQUIRED.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date of the enactment of an Act making appro-
4 priations for the Department of State, Foreign Oper-
5 ations, and Related Programs through fiscal year
6 2026, the Secretary of State, in consultation with the
7 Administrator, shall submit to the appropriate con-
8 gressional committees a report on obligations and ex-
9 penditures of all funds managed by the Department
10 of State and USAID in the prior fiscal year to com-
11 bat human trafficking and forced labor, including in-
12 tegrated C-TIP activities.

13 (2) CONTENTS.—The report required by para-
14 graph (1) shall include—

15 (A) a description of funding aggregated by
16 program, project, and activity; and
17 (B) a description of the management struc-
18 ture at the Department of State and USAID
19 used to manage such programs.

20 (3) BIENNIAL BRIEFING.—Not later than 6
21 months of after the date of the enactment of this Act,
22 and every 2 years thereafter through fiscal year 2026,
23 the Secretary of State, in consultation with the Ad-
24 ministrator, shall brief the Committee on Foreign Re-
25 lations of the Senate and the Committee on Foreign

1 *Affairs of the House of Representatives on the imple-*
2 *mentation of subsection (a).*

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congres-
5 sional committees” means—

6 (1) the Committee on Foreign Relations and the
7 Committee on Appropriations of the Senate; and
8 (2) the Committee on Foreign Affairs and the
9 Committee on Appropriations of the House of Rep-
10 resentatives.

11 **SEC. 103. COUNTER-TRAFFICKING IN PERSONS EFFORTS IN**
12 **DEVELOPMENT COOPERATION AND ASSIST-**
13 **ANCE POLICY.**

14 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
15 et seq.) is amended—

16 (1) in section 102(b)(4)(22 U.S.C. 2151–
17 1(b)(4))—

18 (A) in subparagraph (F), by striking “and”
19 at the end;

20 (B) in subparagraph (G), by striking the
21 period at the end and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(H) effective counter-trafficking in persons
24 policies and programs.”; and

¹ (2) in section 492(d)(1)(22) U.S.C.

2 2292a(d)(1))—

5 “(A) *the funds*”;

(B) in subparagraph (A), as added by subparagraph (A) of this paragraph, by striking the period at the end and inserting “; and”; and

9 (C) by adding at the end the following:

10 “(B) in carrying out the provisions of this
11 chapter, the President shall, to the greatest extent
12 possible—

1 **SEC. 104. TECHNICAL AMENDMENTS TO TIER RANKINGS.**

2 (a) *MODIFICATIONS TO TIER 2 WATCH LIST.*—Section
3 110(b)(2) of the Trafficking Victims Protection Act of 2000
4 (22 U.S.C. 7107(b)(2)), is amended—

5 (1) in the paragraph heading, by striking “SPE-
6 CIAL” and inserting “TIER 2”; and

7 (2) in subparagraph (A)—

8 (A) by striking “of the following countries”
9 and all that follows through “annual report,
10 where—”and inserting “of countries that have
11 been listed pursuant to paragraph (1)(B) pursu-
12 ant to the current annual report, in which—”;
13 and

14 (B) by redesignating subclauses (I) and (II)
15 as clauses (i) and (ii), respectively, and moving
16 such clauses (as so redesignated) 2 ems to the
17 left.

18 (b) *MODIFICATION TO SPECIAL RULE FOR DOWN-
19 GRADED AND REINSTATED COUNTRIES.*—Section
20 110(b)(2)(F) of such Act (22 U.S.C. 7107(b)(2)(F)) is
21 amended—

22 (1) in the matter preceding clause (i), by strik-
23 ing “special watch list described in subparagraph
24 (A)(iii) for more than 1 consecutive year after the
25 country” and inserting “Tier 2 watch list described

1 *in subparagraph (A) for more than one year immediately after the country consecutively”;*

3 *(2) in clause (i), in the matter preceding sub-*
4 *clause (I), by striking “special watch list described in*
5 *subparagraph (A)(iii)” and inserting “Tier 2 watch*
6 *list described in subparagraph (A)”;* and

7 *(3) in clause (ii), by inserting “in the year fol-*
8 *lowing such waiver under subparagraph (D)(ii)”*
9 *after “paragraph (1)(C)”.*

10 *(c) CONFORMING AMENDMENTS.—*

11 *(1) TRAFFICKING VICTIMS PROTECTION ACT OF*
12 *2000.—Section 110(b) of the Trafficking Victims Pro-*
13 *tection Act of 2000 (22 U.S.C. 7107(b)), as amended*
14 *by subsections (a) and (b), is further amended—*

15 *(A) in paragraph (2)—*

16 *(i) in subparagraph (B), by striking*
17 *“special watch list” and inserting “Tier 2*
18 *watch list”;*

19 *(ii) in subparagraph (C)—*

20 *(I) in the subparagraph heading,*
21 *by striking “SPECIAL WATCH LIST”*
22 *and inserting “TIER 2 WATCH LIST”;*
23 *and*

(II) by striking “special watch list” and inserting “Tier 2 watch list”; and

(II) in clause (i), by striking “special watch list” and inserting “Tier 2 watch list”;

(B) in paragraph (3)(B), in the matter preceding clause (i), by striking “clauses (i), (ii), and (iii) of”; and

15 (C) in paragraph (4)—

(ii) in subparagraph (D)(ii), by striking “the Special Watch List” and inserting “the Tier 2 watch list”.

1 *ACT OF 2018.—Section 204(b)(1) of the Frederick
2 Douglass Trafficking Victims Prevention and Protec-
3 tion Reauthorization Act of 2018 (Public Law 115–
4 425) is amended by striking “special watch list” and
5 inserting “Tier 2 watch list”.*

6 *(3) BIPARTISAN CONGRESSIONAL TRADE PRIOR-
7 ITIES AND ACCOUNTABILITY ACT OF 2015.—Section
8 106(b)(6)(E)(iii) of the Bipartisan Congressional
9 Trade Priorities and Accountability Act of 2015 (19
10 U.S.C. 4205(b)(6)(E)(iii) is amended by striking
11 “under section” and all that follows and inserting
12 “under section 110(b)(2)(A) of the Trafficking Victims
13 Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A))”.*

14 **SEC. 105. MODIFICATIONS TO THE PROGRAM TO END MOD-
15 ERN SLAVERY.**

16 *(a) IN GENERAL.—Section 1298 of the National De-
17 fense Authorization Act for Fiscal Year 2017 (22 U.S.C.
18 7114) is amended—*

19 *(1) in subsection (a)(1), by striking “Not later
20 than 90 days after the date of the enactment of this
21 Act” and inserting “Not later than 90 days after the
22 date of the enactment of the International Trafficking
23 Victims Protection Reauthorization Act of 2022”;*

24 *(2) in subsection (g)—*

1 (A) by striking “*APPROPRIATIONS*” in the
2 heading and all that follows through “*There is*
3 *authorized*” and inserting “*APPROPRIATIONS .—*
4 *There is authorized*”; and

5 (B) by striking paragraph (2); and
6 (3) in subsection (h)(1), by striking “*Not later*
7 *than September 30, 2018, and September 30, 2020*”
8 and inserting “*Not later than September 30, 2022,*
9 *and September 30, 2026*”.

10 (b) *ELIGIBILITY*.—To be eligible for funding under the
11 *Program to End Modern Slavery of the Office to Monitor*
12 *and Combat Trafficking in Persons*, a grant recipient
13 *shall*—

14 (1) *publish the names of all subgrantee organiza-*
15 *tions on a publicly available website; or*

16 (2) *if the subgrantee organization expresses a se-*
17 *curity concern, the grant recipient shall relay such*
18 *concerns to the Secretary of State, who shall transmit*
19 *annually the names of all subgrantee organizations in*
20 *a classified annex to the chairs of the appropriate*
21 *congressional committees (as defined in section*
22 *1298(i) of the National Defense Authorization Act of*
23 *2017 (22 U.S.C. 7114(i))).*

24 (c) *AWARD OF FUNDS*.—All grants issued under the
25 *program referred to in subsection (b) shall be*—

1 (1) awarded on a competitive basis; and
2 (2) subject to the regular congressional notification procedures applicable with respect to grants made available under section 1298(b) of the National Defense Authorization Act of 2017 (22 U.S.C. 7114(b)).

7 **SEC. 106. CLARIFICATION OF NONHUMANITARIAN,**
8 **NONTRADE-RELATED FOREIGN ASSISTANCE.**

9 (a) *CLARIFICATION OF SCOPE OF WITHHELD ASSISTANCE.*—Section 110(d)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(1)) is amended to read as follows:

13 “(1) *WITHHOLDING OF ASSISTANCE.*—The President has determined that—

15 “(A) the United States will not provide nonhumanitarian, nontrade-related foreign assistance to the central government of the country or funding to facilitate the participation by officials or employees of such central government in educational and cultural exchange programs, for the subsequent fiscal year until such government complies with the minimum standards or makes significant efforts to bring itself into compliance;

24 and

1 “(B) the President will instruct the United
2 States Executive Director of each multilateral
3 development bank and of the International Mon-
4 etary Fund to vote against, and to use the Exec-
5 utive Director’s best efforts to deny, any loan or
6 other utilization of the funds of the respective in-
7 stitution to that country (other than for humani-
8 tarian assistance, for trade-related assistance, or
9 for development assistance that directly addresses
10 basic human needs, is not administered by the
11 central government of the sanctioned country,
12 and is not provided for the benefit of that gov-
13 ernment) for the subsequent fiscal year until
14 such government complies with the minimum
15 standards or makes significant efforts to bring
16 itself into compliance.”.

17 (b) *DEFINITION OF NON-HUMANITARIAN, NONTRADE*
18 *RELATED ASSISTANCE.*—Section 103(10) of the Trafficking
19 Victims Protection Act of 2000 (22 U.S.C. 7102(10)) is
20 amended to read as follows:

21 “(10) *NONHUMANITARIAN, NONTRADE-RELATED*
22 *FOREIGN ASSISTANCE.*—

23 “(A) *IN GENERAL.*—The term ‘nonhumanani-
24 tarian, nontrade-related foreign assistance’
25 means—

1 “(i) United States foreign assistance,
2 other than—
3 “(I) with respect to the Foreign
4 Assistance Act of 1961—
5 “(aa) assistance for international narcotics and law enforcement under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.);
6 “(bb) assistance for International Disaster Assistance under subsections (b) and (c) of section 491 of such Act (22 U.S.C. 2292);
7 “(cc) antiterrorism assistance under chapter 8 of part II of such Act (22 U.S.C. 2349aa et seq.);
8 and
9 “(dd) health programs under chapters 1 and 10 of part I and chapter 4 of part II of such Act (22 U.S.C. 2151 et seq.);
10 “(II) assistance under the Food for Peace Act (7 U.S.C. 1691 et seq.);

1 “(III) assistance under sections
2 2(a), (b), and (c) of the Migration and
3 Refugee Assistance Act of 1962 (22
4 U.S.C. 2601(a), (b), (c)) to meet ref-
5 ugee and migration needs;

6 “(IV) any form of United States
7 foreign assistance provided through
8 nongovernmental organizations, inter-
9 national organizations, or private sec-
10 tor partners—

11 “(aa) to combat human and
12 wildlife trafficking;

13 “(bb) to promote food secu-
14 rity;

15 “(cc) to respond to emer-
16 gencies;

17 “(dd) to provide humani-
18 tarian assistance;

19 “(ee) to address basic human
20 needs, including for education;

21 “(ff) to advance global health
22 security; or

23 “(gg) to promote trade; and

24 “(V) any other form of United
25 States foreign assistance that the Presi-

1 *dent determines, by not later than Oc-*
2 *tober 1 of each fiscal year, is necessary*
3 *to advance the security, economic, hu-*
4 *manitarian, or global health interests*
5 *of the United States without compro-*
6 *mising the steadfast U.S. commitment*
7 *to combatting human trafficking glob-*
8 *ally; or*

9 “(ii) sales, or financing on any terms,
10 under the Arms Export Control Act (22
11 U.S.C. 2751 et seq.), other than sales or fi-
12 nancing provided for narcotics-related pur-
13 poses following notification in accordance
14 with the prior notification procedures ap-
15 plicable to reprogramming pursuant to sec-
16 tion 634A of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2394–1).

18 “(B) EXCLUSIONS.—The term ‘nonhumani-
19 tarian, nontrade-related foreign assistance’ shall
20 not include payments to or the participation of
21 government entities necessary or incidental to
22 the implementation of a program that is other-
23 wise consistent with section 110.”.

1 **SEC. 107. EXPANDING PROTECTIONS FOR DOMESTIC WORK-**
2 **ERS OF OFFICIAL AND DIPLOMATIC VISA**
3 **HOLDERS.**

4 *Section 203(b) of the William Wilberforce Trafficking
5 Victims Protection Reauthorization Act of 2008 (8 U.S.C.
6 1375c(b)) is amended by inserting after paragraph (4) the
7 following:*

8 “(5) NATIONAL EXPANSION OF IN-PERSON REG-
9 ISTRATION PROGRAM.—The Secretary shall admin-
10 ister the Domestic Worker In-Person Registration
11 Program for employees with A-3 visas or G-5 visas
12 employed by accredited foreign mission members or
13 international organization employees and shall ex-
14 pand this program nationally, which shall include—

15 “(A) after the arrival of each such employee
16 in the United States, and annually during the
17 course of such employee’s employment, a descrip-
18 tion of the rights of such employee under appli-
19 cable Federal and State law; and

20 “(B) provision of a copy of the pamphlet
21 developed pursuant to section 202 to the em-
22 ployee with an A-3 visa or a G-5 visa; and

23 “(C) information on how to contact the Na-
24 tional Human Trafficking Hotline.

25 “(6) MONITORING AND TRAINING OF A-3 AND G-
26 5 VISA EMPLOYERS ACCREDITED TO FOREIGN MIS-

1 SIONS AND INTERNATIONAL ORGANIZATIONS.—*The
2 Secretary shall—*

3 “(A) inform embassies, international orga-
4 nizations, and foreign missions of the rights of
5 A–3 and G–5 domestic workers under the appli-
6 cable labor laws of the United States, including
7 the fair labor standards described in the pam-
8 phlet developed pursuant to section 202. Infor-
9 mation provided to foreign missions, embassies,
10 and international organizations should include
11 material on labor standards and labor rights of
12 domestic worker employees who hold A–3 and G–
13 5 visas;

14 “(B) inform embassies, international orga-
15 nizations, and foreign missions of the potential
16 consequences to individuals holding a non-
17 immigrant visa issued pursuant to subparagraph
18 (A)(i), (A)(ii), (G)(i), (G)(ii), or (G)(iii)
19 of section 101(a)(15) of the Immigration and
20 Nationality Act (8 U.S.C. 1101(a)(15)) who vio-
21 late the laws described in subclause (I)(aa), in-
22 cluding (at the discretion of the Secretary)—

23 “(i) the suspension of A–3 visas and
24 G–5 visas;

25 “(ii) request for waiver of immunity;

1 “(iii) criminal prosecution;

2 “(iv) civil damages; and

3 “(v) permanent revocation of or refusal

4 to renew the visa of the accredited foreign

5 mission or international organization em-

6 ployee; and

7 “(C) require all accredited foreign mission

8 and international organization employers of in-

9 dividuals holding A-3 visas or G-5 visas to re-

10 port the wages paid to such employees on an an-

11 nual basis.”.

12 **SEC. 108. EFFECTIVE DATES.**

13 Sections 104(b) and 106 and the amendments made

14 by those sections take effect on the date that is the first day

15 of the first full reporting period for the report required by

16 section 110(b)(1) of the Trafficking Victims Protection Act

17 of 2000 (22 U.S.C. 7107(b)(1)) after the date of the enact-

18 ment of this Act.

19 **TITLE II—AUTHORIZATION OF**

20 **APPROPRIATIONS**

21 **SEC. 201. EXTENSION OF AUTHORIZATIONS UNDER THE**

22 **VICTIMS OF TRAFFICKING AND VIOLENCE**

23 **PROTECTION ACT OF 2000.**

24 Section 113 of the Victims of Trafficking and Violence

25 Protection Act of 2000 (22 U.S.C. 7110) is amended—

1 (1) in subsection (a), by striking “2018 through
2 2021, \$13,822,000” and inserting “2023 through
3 2026, \$17,000,000”; and

4 (2) in subsection (c)(1)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “2018 through 2021,
7 \$65,000,000” and inserting “2023 through 2026,
8 \$102,500,000, of which \$22,000,000 shall be
9 made available each fiscal year to the United
10 States Agency for International Development
11 and the remainder of”;

12 (B) in subparagraph (C), by striking “;
13 and” at the end and inserting a semicolon;

14 (C) in subparagraph (D), by striking the
15 period at the end and inserting “; and”; and

16 (D) by adding at the end the following:

17 “(E) to fund programs to end modern slav-
18 ery, in an amount not to exceed \$37,500,000 for
19 each of the fiscal years 2023 through 2026.”.

20 **SEC. 202. EXTENSION OF AUTHORIZATIONS UNDER THE**
21 **INTERNATIONAL MEGAN’S LAW.**

22 Section 11 of the International Megan’s Law to Pre-
23 vent Child Exploitation and Other Sexual Crimes Through
24 Advanced Notification of Traveling Sex Offenders (34

1 U.S.C. 21509) is amended by striking “2018 through 2021”
2 and inserting “2023 through 2026”.

3 **TITLE III—BRIEFINGS**

4 **SEC. 301. BRIEFING ON ANNUAL TRAFFICKING IN PERSON'S**
5 **REPORT.**

6 Not later than 30 days after the public designation of
7 country tier rankings and subsequent publishing of the
8 Trafficking in Persons Report, the Secretary of State shall
9 brief the Committee on Foreign Relations of the Senate and
10 the Committee on Foreign Affairs of the House of Represent-
11 atives on—

12 (1) countries that were downgraded or upgraded
13 in the most recent Trafficking in Persons Report; and
14 (2) the efforts made by the United States to im-
15 prove counter-trafficking efforts in those countries, in-
16 cluding foreign government efforts to better meet min-
17 imum standards to eliminate human trafficking.

18 **SEC. 302. BRIEFING ON USE AND JUSTIFICATION OF WAIV-
19 ERS.**

20 Not later than 30 days after the President has deter-
21 mined to issue a waiver under section 110(d)(5) of the Traf-
22 ficking Victims Protection Act of 2000 (22 U.S.C.
23 7107(d)(5)), the Secretary of State shall brief the Committee
24 on Foreign Relations of the Senate and the Committee on
25 Foreign Affairs of the House of Representatives on—

- 1 (a) each country that received a waiver;
- 2 (b) the justification for each such waiver; and
- 3 (c) a description of the efforts made by each country
- 4 to meet the minimum standards to eliminate human traf-
- 5 ficking.

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S. 4171

A BILL

To reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

JUNE 14, 2022

Reported with an amendment